

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>GREENWOOD GAMING &amp; ENTERTAINMENT, INC.</b> <i>Plaintiff,</i>  v.  <b>POM OF PENNSYLVANIA, LLC et al.,</b> <i>Defendants.</i>	<b>CIVIL ACTION</b>  <b>NO. 22-4434</b>
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**ORDER RE: MOTION TO DISMISS**

AND NOW, this 5<sup>th</sup> day of May, 2023, for the reasons stated in the foregoing Memorandum, it is hereby **ORDERED**:

1. Defendants' Motions to Dismiss (ECF No. 18 & 19) are **DENIED** without prejudice.
2. Defendants shall answer the Complaint within fourteen (14) days and assert any counterclaims, crossclaims, or third-party claims. These latter actions would be stayed if they were filed.
3. The parties shall serve Rule 34 requests within thirty (30) days. Objections are due within fourteen (14) days, to be followed by the usual requirement of a meet and confer process. Any motions to compel must be filed within sixty (60) days thereafter.
4. The Court envisions by this procedure that the parties will have each other's documents, at least after a "first request", but depositions and more extensive discovery will be stayed at this time.
5. The Court will revisit this situation in approximately six (6) months and depending on the proceedings before the Pennsylvania Supreme Court, make a further decision as to what should happen in this case after hearing from the parties.

**BY THE COURT:**

**/s/ MICHAEL M. BAYLSON**

**MICHAEL M. BAYLSON, U.S.D.J.**